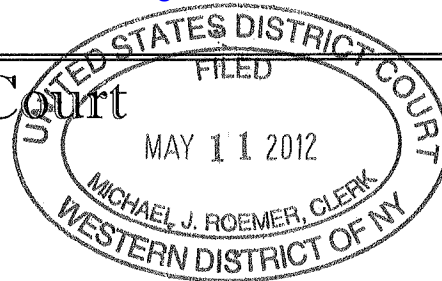


United States District Court

for the
Western District of New York

United States of America

v.

MICHAEL LEE REED, JR.

Defendant

Case No. 12-M- 2072

CRIMINAL COMPLAINT

I, MICHAEL HOCKWATER, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about April 27, 2012 to on or about May 1, 2012, in the County of Erie, in the Western District of New York, the defendant violated Title 18 USC §2251(a) and Title 18 USC §2422(b):

The defendant attempted to persuade, induce, entice or coerce a minor victim in sexually explicit conduct for the purpose of producing any visual depictions of such conduct and knowingly used a facility to wit: a telephone, to attempt to persuade, induce, entice or coerce any individual who has not attained the age of 18 years to engage in any sexual activity for which the person can be charged with a criminal offense.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT



Continued on the attached sheet.

Complainant's signature

Michael Hockwater, Special Agent
Federal Bureau of Investigation

Printed name and title

Sworn to before me and signed in my presence.

Date: May 11, 2012

City and State: Buffalo, New York

Judge's signature

HUGH B. SCOTT
United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael Hockwater, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Police Detective with the Town of Cheektowaga, New York Police Department. I have been a Police Officer since August of 1989. I am currently assigned as a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI), Buffalo Field Office, Cyber Task Force, Innocent Images National Initiative which targets individuals involved in the on line sexual exploitation of children. I have been a (TFO) since June 14, 2010. As part of these duties, I have become involved in the investigation of suspected violations of Title 18, United States Code, Sections 2251, 2252, 2252A, 2422, and 2423. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography in various forms of media including computer media.

2. I make this affidavit in support of a criminal complaint charging MICHAEL LEE REED JR. ("REED") with violating Title 18, United States Code, Section 2251(a) and Title 18 United States Code, Section 2422(b). The statements contained in this affidavit are based on my involvement in this investigation, as well as information provided to me by other law enforcement officers in

this investigation, and upon my training and experience as a Task Force Officer of the Buffalo FBI. Since this affidavit is submitted for the limited purpose of seeking a criminal complaint, I have not included each and every fact known too me concerning this investigation.

3. Title 18, United States Code, Section 2251(a) makes it a federal crime to employ, use, persuade, induce, entice, or coerce any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in any Territory or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct.

4. Title 18, United States Code, Section 2422(b) makes it a federal crime to attempt to use the mail or any facility or means of interstate or foreign commerce to knowingly persuade, induce or entice an individual who has not attained the age of 18 yeas to engage in any sexual activity for which any person can be charged with a criminal offense.

THE INVESTIGATION AND FACTUAL BASIS

5. On or about May 1, 2012, the Cheektowaga Police Department ("CPD") was contacted by the mother of a minor victim who reported that her 13 year old daughter ("Victim 1"), had been receiving text messages containing sexually explicit content from a male identified to her as MICHAEL REED. TFO Hockwater responded to the residence of Victim 1 and interviewed her in the presence of her mother. VICTIM 1 stated that she met REED on FACEBOOK on April 27, 2012 and started text messaging with him the same day. VICTIM 1 stated that she told REED that she was 13 years old and that REED told her he was 21 years old. VICTIM 1 stated that REED had asked her several times to take naked pictures of herself and text them to him. VICTIM 1 stated that she did send one picture of herself to REED but she was wearing clothes in the picture. VICTIM 1's mother signed a Federal Bureau of Investigation Consent to Assume Online Identity Authorization Form to allow agents to assume VICTIM 1's online identity on FACEBOOK. VICTIM 1's mother also signed a consent to search form to allow agents to retrieve text messages from VICTIM 1's cell phone.

6. Victim 1 stated that on April 27, 2012, she had received the following message on FACEBOOK.COM from REED;

REED: "hey sexy text me;] 716 244 3947"

VICTIM 1: "Hey I'm sry u might have the wrong person..."

REED: "hmmm, I don't believe so. Why do you think that?"

VICTIM 1: "Because I don't think I know you"

REED: "I don't think I do haha but I seen you under my suggested and thought you were cute:]"

VICTIM 1: "Lol well thank you"

7. Victim 1 then stated that she started a texting conversation with REED using the number he provided to her in the FACEBOOK chat; 716-244-3947.

The following are excerpts from the texting conversations between VICTIM 1 and Reed:

April 27, 2012

REED: Wait how do you know james and isaac? And how old are you? Im 21

REED: Mmk how old are you

VICTIM 1: 13 14 somewhat soon..

April 28, 2012

REED: Jw, so how innocent are you lol

VICTIM: Lol im a vergin

REED: What have you done with a guy? Do you shave down there?

REED: Do you shave? Yes or no

REED: Oh ok. What have you done with a guy?

VICTIM 1: Wht u mean..like..

REED: Kissed been fingered had anal sex gave a bj sent naked pics...any of that?

REED: Are you ever in Springville? And you should send me some pics of you in your underwear an bra and naked

REED: And show me some pics cutie. Take em for me real quick

REED: Your not ugly send me more pics of you. Or a sexy video;] come on dnt be a chicken. Show me you in your underwear and bra

VICTIM 1: Aw lol thank u but how old did u say u were again?

REED: Old and your young. Idc please

VICTIM 1: And ur saying u would wanna date me on how my body would look?

REED: Not on how your body looks but ur willingness to do stuff. Y do I wanna date someone that wnt send sexy pics an do sexual stuff

REED: Lol thanks; leem see a sexy pic of you

VICTIM 1: Ugh u r never going to give up r u?

REED: Nope lol

REED: Oh come on show me that bubble butt. Ill send you a sexy pic

April 29, 2012

REED: Grr lol I wanna c u

REED: I wanna touch you ha

April 30, 2012

REED: Yea im serious. Lemme see a pic of your ass

REED: Take a pic of you right now

REED: Goodnight sexy. I still wanna be inside you;]

8. On May 3, 2012 TFO Hockwater assumed the identity of VICTIM 1 and entered into a texting conversation with REED using VICTIM 1's cellular phone. The following are excerpts from the texting conversations between TFO Hockwater (TFO) and Reed:

May 7, 2012

TFO: Hey u mad at me????

REED: No. Just you obviously aren't ready for any type of sexual anything your too shy and prude.

TFO: Huh... sorry im just shy..im still interested!!

REED: Prove it hun I wanna see all of you

REED: Stop being a lil girl

REED: Prove it

REED: Lemme see you

REED: Go in the bathroom and lock the door. I wanna see you in bra and panties then you naked

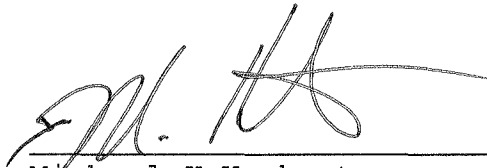
TFO: Im only 14 and I don't want anyone els to see me

REED: Noone will but I wanna see your sexy butt and I wanna see your virgin lower lips

REED: Hurry I wanna see. Maybe a short video of you playing with your pussy;]

CONCLUSION

9. Based upon the above information, there is probable cause exists to believe there has been a violation of Title 18, United States Code, Section 2251(a) and Title 18, United States Code, Section 2422(b).



Michael K Hockwater
Task Force Officer
Federal Bureau of Investigation

Sworn to before me this 11th
day of May, 2012.



HUGH B. SCOTT
United States Magistrate Judge